

Presentment Date and Time: November 5, 2015 at 10:00 a.m. (Prevailing Eastern Time)
Objection Deadline: November 4, 2015 at 4:00 p.m. (Prevailing Eastern Time)
Hearing Date and Time (Only if Objection Filed): December 17, 2015 at 10:00 a.m. (Prevailing Eastern Time)

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and Certain of Its Affiliates*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re	:	Chapter 11 Case No.
	:	
LEHMAN BROTHERS HOLDINGS INC., <i>et al.</i> ,	:	08-13555 (SCC)
	:	
Debtors.	:	(Jointly Administered)
-----	X	

**NOTICE OF PRESENTMENT OF
THIRD SUPPLEMENTAL ORDER GRANTING
DEBTORS' TWO HUNDRED SIXTEENTH OMNIBUS
OBJECTION TO DISALLOW AND EXPUNGE CERTAIN CLAIMS**

Lehman Brothers Holdings Inc. ("LBHI" or the "Plan Administrator"), as Plan Administrator under the *Modified Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and its Affiliated Debtors*, will present the annexed Third Supplemental Order Granting Debtors' Two Hundred Sixteenth Omnibus Objection to Disallow and Expunge Certain Claims (the "Proposed Order") to the Honorable Shelley C. Chapman, United States Bankruptcy Judge, for signature on **November 5, 2015 at 10:00 a.m. (Prevailing Eastern Time)**. In support of the Proposed Order, the Plan Administrator respectfully represents as follows:

1. On October 29, 2009, HSBC Private Bank (Suisse) SA, Singapore Branch (“HSBC”) filed proof of claim number 56671 (the “Claim”), asserting a claim against LBHI, as purported guarantor, in the aggregate amount of \$96,114,602.37.

2. Approximately \$13,511,530.33 of the Claim (the “Disputed Claim”) was based on LBHI’s subordinated guarantee of securities issued by Lehman Brothers UK Capital Funding V L.P. (identified by ISIN XS0301813522), non-Debtor entities that held subordinated debt issued by LBHI (the “UK Funding Securities”). See Claim 56671 Ex. 1(a) at 1, 2.

3. On September 16, 2011, LBHI filed the Two Hundred Sixteenth Omnibus Objection to Claims (ECF No. 20105) (the “Objection”). Through the Objection, LBHI sought to disallow and expunge, or in the alternative to reclassify as Equity Interests in LBHI, the Disputed Claim. In accordance with the *Second Amended Order Pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rules 1015(c) and 9007 Implementing Certain Notice and Case Management Procedures* (ECF No. 9635) (the “Case Management Order”), LBHI established a deadline (the “Response Deadline”) for parties to object or file responses to the Objection. The Response Deadline, which was set for November 11, 2011 at 4:00 p.m., and was subsequently extended, has since passed with respect to the Disputed Claim.

4. HSBC, the record holder of the Disputed Claim, did not file any responsive pleadings with the Court on the docket of the above-referenced cases in accordance with the procedures set forth in the Case Management Order, or serve any such pleadings on counsel to LBHI.

5. On October 1, 2013, HSBC filed the *Notice of Partial Withdrawal of Claim 56671* [ECF No. 40253], withdrawing the Disputed Claim with respect to \$350,000 in

principal amount of the UK Funding Securities. As a result, the outstanding amount of the Disputed Claim is now \$13,154,352.41 (the “Remaining Disputed Claim”).

6. Wong Chin Pang Alex, purporting to hold a beneficial interest in the Disputed Claim, filed a response through which he opposed the relief sought by the Objection (ECF No. 22262). Hsu Li Teh, also purporting to hold a beneficial interest in the Disputed Claim, informally opposed the relief sought by the Objection. Neither Wong Chin Pang Alex nor Hsu Li Teh is a record holder of any portion of the Disputed Claim.

7. Based on information received from HSBC, the record holder of the Disputed Claim, the amounts of the Remaining Disputed Claim attributable to Wong Chin Pang Alex and Hsu Li Teh are \$408,203.33 and \$510,254.17, respectively.

8. Accordingly, the Plan Administrator respectfully requests that the Court enter the Proposed Order granting the Objection with respect to \$12,235,894.91 of the Remaining Disputed Claim (the “Unopposed Portion”), representing the portions of the Remaining Disputed Claim as to which no responses were filed or served on the LBHI.

9. Entry of this order shall have no effect (direct or indirect) on any portion of the Remaining Disputed Claim other than the Unopposed Portion.¹

10. Unless a written objection to the Proposed Order, with proof of service, is served and filed with the Clerk of the Court and a courtesy copy is delivered to the Bankruptcy Judge’s chambers and the undersigned so as to be received by **November 4, 2015 at 4:00 p.m. (Prevailing Eastern Time)**, there will not be a hearing and the Proposed Order may be signed. If a written objection is timely served and filed, a hearing (the “Hearing”) will be held to

¹ The Plan Administrator reserves its rights to continue to prosecute the Objection with respect to the remaining portions of the Disputed Claim, including its right to assert that neither Wong Chin Pang Alex nor Hsu Li Teh have standing to oppose the Objection.

consider the Proposed Order on **December 17, 2015 at 10:00 a.m. (Prevailing Eastern Time)** before the Honorable Shelley C. Chapman, United States Bankruptcy Judge, at the United States Bankruptcy Court, Alexander Hamilton Customs House, Courtroom 623, One Bowling Green, New York, New York 10004. Objecting parties are required to attend the Hearing and failure to appear may result in relief being granted or denied upon default.

Dated: October 29, 2015
New York, New York

/s/ Garrett A. Fail
Garrett A. Fail

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Exhibit A

Proposed Order

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
In re : Chapter 11 Case No.
 :
LEHMAN BROTHERS HOLDINGS INC., *et al.*, : 08-13555 (SCC)
 :
Debtors. : (Jointly Administered)
----- X

**THIRD SUPPLEMENTAL ORDER GRANTING
DEBTORSTWO HUNDRED SIXTEENTH ONMIMIS
OBJECTION TO DISALLOW AND EXPUNGE CERTAIN CLAIMS**

Upon the two hundred sixteenth omnibus objection to claims, dated September 16, 2011 (the “Two Hundred Sixteenth Omnibus Objection to Claims”),¹ of Lehman Brothers Holdings Inc. and its affiliated debtors in the above-referenced chapter 11 cases, as debtors and debtors in possession (the “Chapter 11 Estates”), in accordance with Rule 3007(d) of the Federal Rules of Bankruptcy Procedure and this Court’s order approving procedures for the filing of omnibus objections to proofs of claim (ECF No. 6664); and due and proper notice having been provided; and the Court having found and determined that the relief sought in the Two Hundred Sixteenth Omnibus Objection to Claims and granted herein is unopposed and is in the best interests of the Chapter 11 Estates, their creditors, and all parties in interest; and that the legal and factual bases set forth in the Two Hundred Sixteenth Omnibus Objection to Claims establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefore, it is

ORDERED that the relief requested in the Two Hundred Sixteenth Omnibus Objection to Claims is granted to the extent provided herein; and it is further

¹ Capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to such terms in the *Notice of Presentment of Third Supplemental Order Granting Debtors’ Two Hundred Sixteenth Omnibus Objection to Disallow and Expunge Certain Claims* [ECF No. [TBD]]. All rights of Wong Chin Pan Alex and Hsu Li Teh in opposition to the Objection are preserved.

ORDERED that the portion of the Remaining Disputed Claim listed on Exhibit 1 annexed hereto that is based on securities identified by ISIN XS0301813522 (the “Unopposed Portion”) shall be classified under the *Third Amended Joint Chapter 11 Plan of Lehman Brothers Holdings Inc. and Its Affiliated Debtors* (ECF No. 22737) (the “Plan”) in LBHI Class 12; and it is further

ORDERED that this Order shall not affect in any way any portion of the Remaining Disputed Claim other than the Unopposed Portion or any other proof of claim; and it is further

ORDERED that the Chapter 11 Estates’ Court-appointed claims agent is authorized to modify the claims register to reflect this Order; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: November __, 2015
New York, New York

UNITED STATES BANKRUPTCY JUDGE

Exhibit 1

OMNIBUS OBJECTION 216: EXHIBIT 1- NO LIABILITY CLAIMS

NAME	CASE NUMBER	DEBTOR NAME	FILED DATE	CLAIM #	ASSERTED TOTAL CLAIM DOLLARS	AMOUNTS TO BE DISALLOWED
1 HONGKONG AND SHANGHAI BANKING CORPORATION LTD, SINGAPORE BRANCH, THE	08-13555 (SCC)	Lehman Brothers Holdings Inc.	10/29/2009	56671	\$12,235,894.91 *	\$12,235,894.91 *